

MINUTES

RANDOLPH COUNTY PLANNING BOARD

November 12, 2002

The Randolph County Planning Board met at 6:30 p.m. on Tuesday, November 12, 2002, in the Commissioners' Meeting Room, Randolph County Office Building, 725 McDowell Road, Asheboro, North Carolina.

1. **Chairman Maxton McDowell** called to order the Randolph County Planning Board meeting at 6:30 p.m.
2. **Hal Johnson**, Planning Director, called roll of the Members: Maxton McDowell, Chairman, present; Bill Dorsett, Vice Chairman, present; Lynden Craven, present; Phil Ridge, present; Larry Brown, present; and Chris McLeod, present.
3. **Larry Brown** made the motion, seconded by **Lynden Craven**, to approve the minutes of the October 8, 2002 Randolph County Planning Board meeting. The motion passed unanimously.

4. **REQUESTS FOR PROPERTY REZONING:**

- A. **RANDOLPH COUNTY SHRINE CLUB**, Asheboro, North Carolina, is requesting that 2.50 acres (out of 39.40) located at 2134 Henley Country Road, Franklinville Township, be rezoned from (City of Asheboro Zoning) R-40 to (County Zoning) RA. Parcel ID # 7773037191.

*The Technical Review Committee met and found that the proposal was in compliance with standards outlined in the new Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommends to the County Planning Board that this request be **approved**.*

Johnson explained that this is a little different request because it will take the action of two boards. The City will need to withdraw their jurisdiction from this property in order for the County to accept the property as County Zoning jurisdiction. Johnson said that while the County is considering this request, the City is also. Johnson explained that the City Planning Board has already considered this request and is recommending to the City Council that this jurisdiction be released to the County.

Bill McDaniel said that the Club is asking the City's ETJ line to be moved back so they can obtain an approval for a 5+ acre parcel to be divided from a larger parcel and obtain a right-of-way to the new parcel. McDaniel said that only ½ of the new parcel is currently in the City's jurisdiction. McDaniel said they have no plans to change their operation.

There was no one present in opposition to this request.

Craven made the motion, seconded by **Brown**, to recommend to the Commissioners that this request be **approved**. The motion passed unanimously.

- B. **DENNIS & BEVERLY MORGAN**, Trinity, North Carolina, are requesting that 14.70 acres located on Finch Farm Road, Tabernacle Township, Lake Reese Watershed, Homewood Acres Subdivision, Lot # 5, be rezoned from RA to CVOE-CU. Parcel ID #

6795906830. The proposed Conditional Use Zoning District would specifically allow the development of a 3-lot subdivision for site-built homes only.

*The Technical Review Committee met following the Neighborhood Information Meeting and found that the proposal was in compliance with standards outlined in the new Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommends to the County Planning Board that this request be **approved** with the following conditions:*

1. *The proposed private road must be in place before the final subdivision plat is approved.*
2. *The existing residential accessory building (on proposed lot #1) may not be used for commercial purposes.*

Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are:

Policy 6.5 *The protection of viable rural neighborhoods should be encouraged by compatible residential development to insure the continued existence as a major housing source and as a reflection of the long-term quality of life in Randolph County.*

Policy 6.13 *Conventional Residential Subdivisions are anticipated of similar housing characteristics to the community.*

Morgan was present and explained his intention to subdivide this lot in Homewood Acres subdivision into 3 lots. Morgan said the property has been perked and each lot would have its own septic tank system. Morgan said the current deed restrictions require a minimum house size of 2,000 sq. ft. Morgan said that the existing accessory building on lot 1 would not be used for commercial purposes. Morgan said that lots 2 and 3 will not be sold until lot 1 is sold. Morgan said the original deed restrictions expired in 1998.

Johnson explained to Morgan that the road would have to be built before the final plat could be approved and recorded.

Morgan explained that the stream on lot 3 is 10 ft. at its widest point. **Johnson** explained that the County requires a 50 ft. buffer to be maintained.

There was no one present in opposition to this request.

Johnson said that the only concern expressed at the Neighborhood Information Meeting was that the existing accessory building not be used for commercial purposes.

McLeod made the motion, seconded by **Brown**, to recommend to the Commissioners that this request be **approved**. The motion passed unanimously.

- C. **MARK PETERSON**, Trinity, North Carolina, is requesting that 16.00 acres located on Jess Smith Road, Back Creek Township, be rezoned from RA to CVOR-CU. Parcel ID #

7725217861. The proposed Conditional Use Zoning District would specifically allow the development of a 12 lot subdivision for Class-A double-wide mobile homes on permanent masonry foundation, modular homes, or site-built homes. Property Owner: Mary Hedrick.

*The Technical Review Committee met following the Neighborhood Information Meeting and found that the proposal was in compliance with standards outlined in the new Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommends to the County Planning Board that this request be **approved**.*

Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are:

Policy 6.5 *The protection of viable rural neighborhoods should be encouraged by compatible residential development to insure the continued existence as a major housing source and as a reflection of the long-term quality of life in Randolph County.*

Policy 6.13 *Conventional Residential Subdivisions are anticipated of similar housing characteristics to the community.*

Policy 8.8 *The County should seek land use decisions that continue to provide locations for affordable housing while maintaining a choice in compatible housing types in communities within the county.*

Peterson was present and explained that he planned to construct site-built homes on the property but due to the type of housing already in the area they didn't want to restrict the lots against all other types of housing. Peterson said that they plan to restrict the housing with private restrictions to allow modular homes if site-built homes didn't sell well. Peterson provided the Board with the proposed restrictions.

Travis Holcomb, 3683 Tree Sparrow Drive, said that he didn't feel this subdivision would be in character with the area. Holcomb said that he felt this was a sparsely populated area and this should not be permitted. Holcomb said a church is wanting to come to this area and he didn't feel it would come if manufactured housing was permitted here.

Dorsett said that this is a real nice area, that development could go either way. Dorsett said that he wouldn't have any objections if manufactured housing was not permitted.

Peterson said that he would agree to no mobile homes and only allow site-built homes or modular homes for the property.

Dorsett made the motion, seconded by **Brown**, to recommend to the Commissioners this request be **approved** with the restriction of no mobile homes. The motion passed unanimously.

- D. **GLENN KING**, Asheboro, North Carolina, is requesting that 1.79 acres located on the corner of NC Hwy 22 / Underwood Road, Providence Township, Sandy Creek Watershed, be rezoned from RA to RBO-CU. Parcel ID # 7796294775. The proposed

Conditional Use Zoning District would specifically allow a convenience store. Property Owners: Russell & Valastra Hackett.

*The Technical Review Committee met and found that this proposal was **not** in compliance with the standards outlined in the new Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee felt the proposed use would be too intense for such a small parcel of land within this rural residential community. The Technical Review Committee recommends to the County Planning Board that this request be **denied**.*

Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are:

Policy 4.3 *Rural area commercial development should be limited to neighborhood business uses, farm supply stores, and generally accepted rural business establishments.*

Policy 4.5 *Effective buffering and/or landscaping should be provided where commercial development adjoins existing or planned residential uses.*

Policy 7.5 *Site plans should be provided that design built-upon areas to specifically minimize stormwater runoff impact to streams and other receiving waters.*

King was present and explained that he would be the builder for this convenience store. **King** said that they would sell gas, diesel fuel, and groceries. **King** said there is no place for truckers or farmers to buy diesel fuel in this area. **King** said there would be a truck island to the right of the store with access for large trucks to go around the store. **King** said the area to the left of the proposed building site would be used for septic area. **King** explained that approximately 50% of the property would be used for parking lot and building. **King** explained that the house to the rear of the property is owned by the Hacketts but the mobile home is not. **King** said that the drive leading to the mobile home (off of Underwood Road) may have to be moved.

Ridge asked **King** what type of buffers they plan for the rear of the property. **King** said that they would consider buffers if requested by the Board.

Craven asked what hours they would operate and **King** said probably 6 a.m. to 10 p.m. **Craven** asked **King** about the lighting being considered and **King** said that it would probably have directional lights with a minimal impact on the neighbors.

Dorsett asked if they had plans for any fencing and **King** said that he didn't know of any. **King** said that they are in a very preliminary stage of planning. **King** said they would welcome any input by the Board. **King** said they would consider any possible restrictions and then determine if it would be feasible for their development.

Diana Davis, 2920 Underwood Road, said that she owns the double-wide mobile home to the rear of this site. Davis said that this development would make her property worthless. Davis said that her main concerns would be the noise, pollution, and septic system. Davis said she has lived here for 15 years and she is very concerned about this possible development.

Terry Swaim, 3743 New Salem Road, (with his wife and son) said that they own a farm in this area. Swaim said they own an active farm of 98+ acres within 200 ft. of this site. Swaim said that all the run-off from this property would impact a pond that he owns that is larger than this proposed site. Swaim said they have recently restocked their pond.

Danny Swaim, 260 East Hwy 62 (just across the County line), said that they purchased land here because it is agricultural and still country. Swaim said that they have plans for a large irrigation system (which is currently being built) for cattle currently on the property. Swaim said they also have additional plans to increase the number of cattle on the property. Swaim said there is no way to stop the run-off from this site to their pond. Swaim provided the Board with a geological map of this area and said he would get this map stamped by the engineering firm that provided it to him if this would be necessary.

Odell Routh, 6546 Hwy 22N, said that King was incorrect in his statement that the area did not have access to diesel fuel sales. Routh said he has been in this area (1 mile down the road) since 1969 and sells both on-road and off-road diesel fuel. Routh said he also would like to know if Hackett would like a convenience store built in his front yard.

Johnny Underwood, 6920 Hwy 22N, said that this gas/diesel station is something they don't need. Underwood asked what would be done if this ran off into Ramseur's water supply.

Johnson said that the Technical Review Committee looked at this request and recommended denial for some of the same concerns as those of the neighbors. Johnson said that the property is relatively small and could pose potential adverse impacts, due to run-off, in this agricultural community.

Dorsett said his concern was that many of the Board's questions could not be answered by the applicant.

Craven said that he had concern of the amount of impervious surface that was being proposed on this small parcel in the Sandy Creek Watershed.

Craven made the motion, seconded by **Dorsett**, to recommend to the Commissioners that this request be denied. The motion passed unanimously.

- E. **MICHAEL AND JOANNE MAUNEY**, Staley, North Carolina, are requesting that 13.20 acres located on Foust Road, Providence Township, Sandy Creek Watershed, be rezoned from RR to RA. Parcel ID #'s 8715737780 and 8715738265. The proposed Conditional Use Zoning District would allow 2 single-wide mobile homes to be placed on the property.

*The Technical Review Committee met and found that this proposal was **not** in compliance with the standards outlined in the new Growth Management Plan adopted*

*by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommends to the County Planning Board that this request be **denied***

Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are:

Policy 6.5 *The protection of viable rural neighborhoods should be encouraged by compatible residential development to insure the continued existence as a major housing source and as a reflection of the long-term quality of life in Randolph County.*

Policy 6.13 *Conventional Residential Subdivisions are anticipated of similar housing characteristics to the community.*

Joanne Mauney, 5626 Sandy Creek Church Road, Staley, said that she has not had any plans for 2 mobile homes on this property. Mauney said that she inherited the property and has split it up among her 3 sons. Mauney said that one of her sons is planning to place a mobile home on his tract and it would only be there for 1 to 2 years. Mauney said that he plans to build a house in the next two years. Mauney said that it would be difficult to put the mobile home anywhere else on the property because of trees and the location of the creek. Mauney said they have contracted for the trees to be removed but she doesn't know when the timber company plans to start. Mauney said that they have singled out some trees that will not be removed. Mauney said that they just want to rezone 6 acres, not 13 acres.

Larry Hicks, 2649 Foust Road, said that most homes on the road are stick-built homes or double-wide mobile homes. Hicks said that most of the homes are 300 ft. off the road. Hicks said that they started in a mobile home before building his home and he didn't have a problem with a mobile home if it is located at least 300 ft. off the road like all the other residences on Foust Road. Hicks said he didn't feel this proposed mobile home would be consistent with the development in the area.

Neal Barbee, 2747 Foust Road, said that he wouldn't have a problem with a mobile home on the property as long as it was set back 300 ft. off the road. Barbee said that he also started in a mobile home and was told by the County that he had to set-up his home 300 ft. off the road. Barbee said that he built his house approximately 4 years ago and removed his mobile home.

Brown asked Mauney how long she has owned the property. **Mauney** said she inherited the property approximately one year ago.

Brown said that he felt this restriction has been required of the adjoining properties and it should remain.

Craven said he had a problem with down-zoning properties. Craven said that this would not conform with the current development on Foust Road.

Dorsett said that he sympathizes with the property owners but the law is the law.

Craven made the motion, seconded by **Brown**, to recommend to the Commissioners that this request be **denied**. The motion passed unanimously.

- F. **TERRY SHEPPARD**, Climax, North Carolina, is requesting that 4.00 acres (out of 42.70 acres) located at 7530 NC Hwy 22 North, Providence Township, Sandy Creek Watershed, be rezoned from RA to RBO-CU. Parcel ID # 7797421212. The proposed Conditional Use Zoning District would specifically allow a sales & service business for generators and small diesel engines. Property Owner: Daisy Sheppard.

*The Technical Review Committee met and found that this proposal was in compliance with the standards outlined in the new Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommends to the County Planning Board that this request be **approved**.*

Example of a Growth Management Policy that the Technical Review Committee found supporting this recommendation are:

Policy 4.3 *Rural area commercial development should be limited to neighborhood business uses, farm supply stores, and generally accepted rural business establishments.*

Sheppard was present and explained his intentions to build a metal building to operate a repair business for generators and small diesel engines. Sheppard said that he has 1 full-time and 2 part-time employees. Sheppard said that he would have some outside storage to the rear of the building (none in view of the highway). Sheppard said that he plans to maintain a buffer to the rear and along each side of the property.

Brown asked if he worked on generators in motor homes and **Sheppard** said that he would work on one every once in a while. Sheppard said that any motor home would be maintained to the rear of the building. Sheppard said that they would not have outside storage like the generator business located 3 miles down the road.

Odell Routh, 6546 Hwy 22N, said that he would be in favor of this business coming into their community. Routh said that he has known Sheppard for many years and he is a fine asset to the community. Routh said that the land he is proposing to rezone is the property he was raised on.

There was no one present in opposition to this request.

Craven made the motion, seconded by **Brown**, to recommend to the Commissioners that this request be **approved** with the following conditions:

**all outdoor storage must be maintained to the rear of the building (including any motor homes)

**level 1 buffer on the southern property line (along with the buffers shown on the proposed site plan)

The motion passed unanimously.

- G. **JEFF SHAW**, Siler City, North Carolina, is requesting that 10.00 acres (out of 31.89) located at 10308 Frazier Road, Columbia Township, be rezoned from RA to LI-CU. Parcel ID # 8732456174. The proposed Conditional Use Zoning District would specifically allow the construction of a 60 x 125 warehouse storage building with auction sales and a 30 x 50 greenhouse for nursery sales.

*The Technical Review Committee met and found that this proposal was in compliance with the standards outlined in the new Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommends to the County Planning Board that this request be **approved** with the condition that a Level 1 buffer be maintained along the southern property line.*

Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are:

Policy 3.5 *Warehousing, storage, and distribution facilities should have direct access to appropriate thoroughfares and should be visually buffered according to their location.*

Policy 4.3 *Rural area commercial development should be limited to neighborhood business uses, farm supply stores, and generally accepted rural business establishments.*

Shaw explained that he is an auctioneer and would like to construct a building to store materials that he collects and auction these materials. Shaw asked for the building to be increased to 10,000 sq. ft. Shaw said that he mainly auctions restaurant equipment but auctions other materials from time to time. Shaw said that he is licensed for auction sales and real estate sales. Shaw said he specializes in commercial and business sales. Shaw said this would not be a flea market sales business. Shaw said that he will provide ample parking and restroom facilities. Shaw talked about the kind of businesses nearby - golf driving range, trailer manufacturing and sales, etc. Shaw said that he would not normally have items stored outside the building. Shaw said that he wanted the ability to sell each day if his business allows him. Shaw said he didn't feel he would have the business to sell each day, but he didn't want to be restricted to the point that he couldn't hold auctions each day. Shaw said it would not be a retail business with auctions there every day.

Brown said that outside storage is something this Board should consider. **Ridge** said he felt the Board should place some restrictions on outside storage to prevent the possible look of a junkyard.

Shaw said that he didn't want the place to look like junk, but he did want to have the freedom to display his products (such as a dump truck, tractors, farm equipment, etc.). Shaw said that visibility is one of the draws to this property on Hwy 64. Shaw said that he would maintain the restaurant equipment inside the building.

Earl Fitts, 9864 US Hwy 64E, said that he owns the property across the road. Fitts said that the Shaws are fine people and he is sure that they will have a nice place. Fitts said that his aunt owns

the property and is in a rest home. Fitts said that it has come the time has come that she needs to sell the property.

There was no one present in opposition to this request.

McLeod made the motion, seconded by **Brown**, to recommend to the Commissioners that this request be **approved**. The motion passed unanimously.

5. **SWEARING IN OF THE WITNESSES:**

“Do you swear or affirm that the information you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?”

2 people took this oath.

6. **SPECIAL USE PERMIT REQUESTS:**

A. **WAYNE & SUSAN CRAVEN**, Franklinville, North Carolina, are requesting to amend the current Special Use Permit for a Planned Unit Development to allow one additional rental mobile home. Property located on Carl Allred Road, 9.80 acres, Franklinville Township. Parcel ID #'s 7783563509; 7783561910; 7783564945.

Craven was present and explained that she plans to locate a double-wide here for her son. Craven said that they have 2 rental mobile homes and 1 rent house. Craven said that they live in a house on the property, and their daughter has a mobile home on the property.

There was no one present in opposition to this request.

Johnson said that originally the homes were approved for family members and now they have become rental.

Brown said if they wanted to make a place for their son, they could move one of the rental units off the property.

Lynden Craven said this has the potential to become a 5-unit rental mobile home park.

Susan Craven said that this new home will never be rented and they would be willing to sign an affidavit with the County.

Brown made the motion to **deny** this request based on the following findings of facts:

1. That the use **does not** meet all required conditions and specifications; and
2. That the location and character of the use if developed according to the plan as submitted and approved will be **not** in harmony with the area in which it is to be located and in general conformity with the Land Development Plan for Randolph County.

Dorsett seconded this motion and the motion passed unanimously.

7. The meeting adjourned at 8:58 p.m. There were 43 citizens present for this meeting.

NORTH CAROLINA

RANDOLPH COUNTY

Planning Director

Date

Clerk/Secretary